

## MOTION TO RECONSIDER ORDER GRANTING MOTION FOR PROTECTION

TO THE HONORABLE JUDGE ROBBINSON:

Comes now Ali Choudhri ("Choudhri") and files this Motion to Reconsider the Court's Order dated October 7, 2024, granting the Motion for Protection filed by John Quinlan ("Quinlan"), Omar Khawaja ("Khawaja"), and Osama Abdullatif ("Abdullatif"), and in support thereof, respectfully shows the Court as follows:

#### I. INTRODUCTION

- 1. Claims 9-1 attached as Exhibit 1 and 9-2 attached as Exhibit 2, filed on June 4, 2024, by Quinlan, Khawaja, and Abdullatif, state that the claims from judgments were secured through lis pendes. However, the judgments have no real property claim, which goes against Texas Property Code Section 12.007(a). Abdullatif has a history of filing and funding litigation against Choudhri and filing frivolous lis pendes without any real property claim.
- 2. Osama Abdullatif, with the help of Omar Khawaja, has worked cooperatively for over twelve years to systematically syphon assets from Ali Choudhri. Their business model has been to create fraudulent legal strife, themselves and through proxies (Hira Azhar, George Lee, Harold Polk, John Quinlan, Renee Davey). They use said position to further attack the liquidity

and financial strength of Ali Choudhri and affiliated entities. A systemic attack on Choudhri's borrowing power and liquidity, crucially required in the field of real estate development for: new developments, acquisitions, refinancing, tenant improvements, and mortgage and lending company relationships.

This endless barrage of legal actions against Choudhri, furthered by a welldocumented campaign of paid defamation agents (Wayne Dolcefino) and corporate espionage (Chris Wyatt, Azeemeh Zaheer), has lead to extensive damage to Choudhri's reputation and financial hardship across all Choudhri affiliated entities. This included recruiting Choudhri's putative wife in Pakistan, to fly back to the U.S. and make false claims on marital assets. These claims were then further complicated by fraudulent lis pendens' and fraudulent liens filed on virtually every property Choudhri owned directly or indirectly, holding up any financial transactions for over ten years. By financing and promoting this frivolous allegation that Choudhri was still married, Abdullatif and Khawaja would cloud the title of all of Choudhri's properties, preventing him from being able to sell them for many years. After the Texas Supreme Court settled this issue, determining Choudhri has been unmarried since 2012, the instigators simply switched from lis pendens' based on Azhar's claims to lis pendens' based on their fraudulently obtained judgements. Same bad actors and same bad playbook.

Abdullatif and Khawaja have used an alter-ego claim multiple times, to validate their attempts at weakening Choudhri's defenses, and systematically attacking his assets. Causing financial strain, eventual bankruptcies, and subsequent judgements they can then acquire and further their desolation of his businesses and finances, even stooping so low as to claim Choudhri's credit union, Mother, and Sister are

one-and-the-same. Even claiming he committed forgery of his own signature at one point, painting a picture of Choudhri as a liar and forger rather than as a successful young businessman who they are jealous of and who they have decided his non-aggressive manner of dealing with the hyenas at his door is a blinking green light to attack everything he has even remote affiliation with personally or professionally. They do this in unison, while claiming attorney-client privilege over their actions, functioning as a criminal enterprise with the specific focus of defrauding Choudhri through vexatious litigation and tortious interference.

3. Examples include a previous Notice of Non-Suit with Prejudice attached as Exhibit 3 in which Abdullatif had previously claimed an alter ego against Choudhri his mother and his late father and a long list of affiliated entities and Choudhri and Hira Azhar – putative wife of Choudhri ("Azhar"), which Abdullatif admittedly funded in a deposition attached as Exhibit 4 on page 68 line 22-25 to page 69 1-16:

```
Q. Do you know who Hira Azhar is?

A. Yes, I do.

MR. BALLASES: Objection, form.

BY MR. POPE:
```

```
1
             Who is she?
 2
             She is Ali Choudhri's wife, ex-wife, or whatever you
 3 | call it. I don't know. But it's Ali Choudhri -- I know her as
   Hira Azhar, Ali Choudhri's wife. And they were married. And
   we were acquainted at that time when he was married. And I
   attended his wedding.
 7
             Did you ever fund litigation for her?
 8
            I lent her money, yes.
 9
             How much did you lend her?
10
             MR. BALLASES: Objection, form.
11
             THE WITNESS: I lent her approximately --
12
             MR. BALLASES: Objection, form.
13
             THE WITNESS: Well, she had living expenses and
   school expenses and stuff. And she wanted certain amount of
14
15
   money from me. There's a note that she had with me, but I
16
   don't recall exactly how much was it right now.
17
             MR. POPE: I'm going to object nonresponsive.
```

Those lis pendes were expunged because they failed to meet the elements of the Texas

Property Code for filing and maintaining lis pendes attached as Exhibit 5, and this new set

of lis pendes will no doubt end the same way.

Osama, Khawaja and Quinlan has even sued Bridgeco and caused lis pendesn causing foreclosures on those Magnolio and Bridgeo entities.

3. Khawaja states in deposition attached as Exhibit 6, page 110, line 3-13:

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A. I think just generally people in the community
know that your client commits fraud. He's known as a
fraudster.

Q. Who are these --
A. So many people have approached me.

Q. Okay. Who are these people?

A. Yeah, I can't -- many people that he's
defrauded over the years.

Q. Name one.

A. Well, Judge Morman is one. I don't know if
you know him. He's in the Southern District.
```

Admitted to communicating with Judge Norman and opened the door for Choudhri to ask further questions.

4. As seen in Exhibit 6 Khawaja states on page 175, line 9-15

9	Q. (BY MR. CHOUDHRI) So can you explain to me
10	why the adversary where you claim alter ego and
11	fraudulent transfer has an attachment of
12	as a declaration?
13	A. I mean, he had some evidence that you are an
14	alter ego, that you have alter egos that operate under
15	you, so he provided it. It's evidence.

And page 177, line 16-21:

```
16 Q. (BY MR. CHOUDHRI) So is it your contention
17 that you have information you've received from Chris
18 Wyatt that has to do with the basis of your claim?
19 MR. BALLASES: Objection. Form.
20 A. I mean, he provided an affidavit in this case,
21 so...
```

That Chris Wyatt ("Wyatt") provided an affidavit in this case, which opens the door for Choudhri to ask questions in about Wyatt.

5. As a matter of background, it is undisputed that Mr. Wyatt, who was employed as a paralegal, downloaded the entirety of the information on Jetall's computer system and other companies' computers onto an external hard drive. Mr. Wyatt has not returned the hard drive and has refused to disclose with whom he has shared the contents of the information he stole. Wyatt has admitted to his theft in his testimony on page 123, line 25 to page 124, lines 1-25 of Exhibit 7:

```
Q (BY MR. ALEXANDER): Mr. Wyatt, did you take
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1 the hard drive from Mr. Choudhri's business Jetall?
 2
                    MR. TANG:
                                Objection. Relevance, Your
 3
   Honor.
 4
                    THE COURT:
                                 Overruled.
 5
              I took documents from Jetall in order to
   determine whether I had an obligation to report to
   the United States attorney's office and the
   Department of Justice related to things going on
   there.
             Yes.
10
        Q
              (BY MR. ALEXANDER): Did you take documents,
   or did you take the hard drive?
12
        A
              The hard drive.
13
              And what was -- was the hard drive, like,
14
   every document that they had?
15
        Α
              I don't know.
16
             And when did you take the hard drive?
17
        Α
             When I left.
18
             When you left -- what date was that?
        Q
19
              It was October -- maybe around the 18th,
20 something like that.
```

6. Khawaja perjured himself in the September 11, 2024, deposition attached as Exhibit 6 on page 218, line 24-25 to page 219, line 1-3:

Q. (BY MR. CHOUDHRI) Mr. Khawaja, were you present on September 6, 2023, when Chris Wyatt, your



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	OMAR KHAV TEXAS REIT				September 11, 2024 219					
1	client,	testi	ified	on t	he :	stand	in	Judge	Manor's	court?
2		MR.	BALLA	SES:	O	bjecti	lon			
3	A.	No.								

About his presence at the September 6, 2023 hearing attached as Exhibit 7:

APPEARANCES

FOR THE PLAINTIFF: Mr. James Q. Pope, SBN 24048738 THE POPE LAW FIRM 6161 Savoy Drive, Suite 1125 Houston, Texas 77036 Houston, Texas 77036 Telephone: 713-449-4481 Facsimile: 281-657-9693 E-mail: jamesp@thepopelawfirm.com Mr. Jerry C. Alexander, SBN 00993500 PASSMAN & JONES 1201 Elm Street, Suite 2500 Dallas, Texas 75270 Telephone: 214-742-212 Facsimile: 214-748-7949 E-mail: alexanderj@passmanjones.com FOR THE DEFENDANT: Mr. David Tang, SBN 24014483 ATTORNEY AT LÁW 6711 Stella Link, Suite 343 West University Place, 'Telephone: 832-287-2129 Texas 77005 Facsimile: 832-217-3227 E-mail: dtangattorney@gmail.com Mr. Omar Khawaja, SBN 24072181 LAW OFFICES OF OMAR KHAWAJA, PLLC 5177 Richmond Avenue, Suite 1065 Houston, Texas 77056 Telephone: 281-888-2339 Facsimile: 281-888-2421 E-mail: omar@attorneyomar.com

7. Additionally, before the deposition started, Khawaja's attorney, T. Michael Ballases ("Ballases"), began objecting to the cross notices filed by creditors and announcing that those creditors would not be permitted to depose Khawaja. Khawaja's deposition did not begin at the designated time and was constantly interrupted by objections from his lawyer:

During the Debtor's examination of Khawaja, Ballases instructed him not to answer questions directly relevant to Mr. Khawaja's basis and motivation for filing his proof of claim as shown above. When creditors who cross-noticed the depositions tried to begin their portion of the deposition, Khawaja's counsel objected and caused a delay of over an hour. Ballases finally acknowledged that his objections to the cross notices were valid, and the deposition continued. Ms. Hood asked questions from pp. 72-125. Mr. Ballases also instructed the witness not to

answer on multiple occasions. Mr. Choudhri asked questions from pp. 126-228. Mr. Ballasses objected to a large number of Mr. Choudhri's questions. Mr. Khawaja left to go to the hospital with respect to a family member at 3:30 p.m. His deposition was not concluded.

The amounts claim that is owed in proof of claims are constantly changing up and down without explanation are evidence of bad faith or abuse of process and intended to burden or unfairly pressure me and the estate. In addition, my attempts to obtain a clear final payoff and account statement have been unsuccessful. Khawaja and claimant fail to answer. See various amounts provided (\*)

#### II. LEGAL STANDARD

- 8. Choudhri files this Motion to Reconsider under Bankruptcy Rule 9024, Federal Rule of Civil Procedure 60(b), which allows the Court to reconsider and modify orders under certain circumstances, including newly discovered evidence, clear error, or misrepresentation of the facts.
- 9. Furthermore, under federal law, 18 U.S.C. § 1621 makes it a crime to knowingly make false statements under oath, including during a deposition. This statute applies to any situation in which a person swears under oath to tell the truth and then knowingly makes false statements.

#### III. GROUNDS FOR RECONSIDERATION

## A. Misrepresentation of Facts

10. Allowing the protective order, made with a clear misrepresentation of facts, to remain in place would be an insult to the legal process. Quinlan, Abdullatif, and Khawaja have filed the motion for protection under a false premise, misleading the court to a false conclusion. It is blatantly apparent that the motion of protection was filed to hinder the Court's proceedings and waste time.

## B. Perjured Testimony

- 11. It has shown that Khawaja undeniably made false claims under oath. The protective order granted based on the motion for protection filed by Khawaja, Quinlan, and Abdullatif was obtained under false pretenses, with perjured testimony forming the foundation for the Court's decision. Upholding the protective order would perpetuate this injustice and hinder the Court's truth-seeking process. A false premises leads to a false conclusion.
- 12. See Exhibits attached relating to Hira Azhar, Chris Wyatt, and Omar Khawaja, and Osama Abdullatif.

## IV. PRAYER FOR RELIEF

WHEREFORE, premises considered, Choudhri respectfully requests that this Court reconsider its Order dated October 17, 2024, granting the Motion for Protection filed by John Quinlan, Omar Khawaja, and Osama Abdullatif, and:

- 1. Vacate the Protective Order in its entirety
- 2. Allow the depositions to be retaken and completed and the cross notice creditors shall be allowed to ask questions. This can be done in the court house.
- 3. Grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Ali Choudhri, Pro Se

2425 West Loop Suite 1100

Houston Texas 77027

## **CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Answer was served on 10/28/24 on interested parties by electronic delivery.

Label Matrix for local noticing Texas REIT, LLC U.S. BANKRUPTCY COURT 0542-1 2450 Wickersham Lane, Suite 202 903 SAN JACINTO, SUITE 322 Case 24-10120-smr Austin, TX 78741-4744 AUSTIN, TX 78701-2450 Western District of Texas

Austin

Mon Sep 30 17:09:36 CDT 2024

AGAPE Affordable Dumpster Rentals Akin Gump Strauss Hauer & Feld LLP 6161 Savoy Drive Suite 500 6520 US Hwy 301 S Suite 112 1111 Louisiana Street, 44th Floor Houston, TX 77036-3326 Riverview, FL 33578-4324 Houston, TX 77002-5225

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Clark Hill PC Competition Roofing, Inc. Cypress BridgeCo, LLC and Magnolia BridgeCo 500 Woodward Ave Suite 3500 7310 Fairview Street c/o McDowell Hetherington LLP Detroit, MI 48226-3485 Houston, TX 77041-2106 ATTN: Robert P. Debelak III 1001 Fannin St., Ste. 2400 Houston, TX 77002-6706

Cypress BridgeCo, LLC and Magnolia BridgeCo, Dalio Holdings I, LLC Drew Dennett c/o McDowell Hetherington LLP 2425 West Loop South Suite 77027-4210 2450 Wickersham Lane, Suite 202

ATTN: Matthew W. Bourda Austin, TX 78741-4744 1001 Fannin St., Ste. 2400 Houston, TX 77002-6706

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John Quinlan John Quinlan, Omar Khawaja, and Osama Abdull Mack Brooks, LLC as agent and c/o Steven A. Leyh c/oSteve Leyh Hoover Slovacek LLP attorney in fact for FGMS Holdings, LLC Hoover Slovacek, LLP Galleria Tower 2, 5051 Westheimer, Ste 1 c/o Howard Marc Spector 5051 Westheimer, Suite 1200 Houston, Texas 77056 12770 Coit Rd, St 850 Houston, Texas 77056-5839 Houston, TX 77056-5622 Dallas, TX 75251

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WCW HOUSTON PROPERTIES, LLC WCW Houston Properties, LLC WCW Houston Properties, LLC Attn: Judith Chang - CFO Attn: Tami Kim Broker Associate/Attorne Howley Law PLLC c/o Eric Terry 3657 Briarpark Drive, Ste. 188 6100 Corporate Drive, Suite 319 711 Louisiana Street, Ste 1850 Houston, TX 77042-5267 Houston, TX 77036-3433 Houston, TX 77002-2790 WCW Houston Properties, LLC WCW Houston Properties, LLC Wrinkle, Gardner & Company, PC c/o M. Kevin Powers c/o Matthew Kevin Powers PO Box 1707 Burford Perry, LLP Burford Perry Friendswood, TX 77549-1707 909 Fannin, Suite 2630 909 Fannin, Suite 2630 Houston, Texas 77010-1003 Houston, TX 77010-1003

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# IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

IN RE: \$ CASE NO. 24-10120-smr
TEXAS REIT, LLC \$ CHAPTER 11

# ORDER GRANTING MOTION TO RECONSIDER ORDER GRANTING MOTION FOR PROTECTION

UPON CONSIDERATION of the Motion to Reconsider Order Granting Motion for Protection filed by Ali Choudhri, the Court finds that good cause exists to GRANT the Motion to Reconsider Order Granting Motion for Protection. THEREFORE, the Motion to Reconsider Order Granting Motion for Protection is GRANTED.

# **CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the above and foregoing document has been served on the following on October 28, 2024, in accordance with the Texas Rules of Civil Procedure.

Steve Leyh Hoover Slovacek, LLP 5051 Westheimer, Suite 1200 Houston, TX 77056

###

Order Submitted Z

Ali Choudhri, prose 1001 West Loop South Houston, Tx 77027 Label Matrix for local noticing Texas REIT, LLC U.S. BANKRUPTCY COURT 0542-1 2450 Wickersham Lane, Suite 202 903 SAN JACINTO, SUITE 322 Case 24-10120-smr Austin, TX 78741-4744 AUSTIN, TX 78701-2450 Western District of Texas Austin

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